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New York, 17 January - 4 February 1994

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Revised combined second and third period reports of States parties

COLOMBIA*

* For the initial report submitted by the Government of Colombia, see CEDAW/C/5/Add.32 and CEDAW/C/5/Add.32/Amend.1; for its consideration by the Committee, see CEDAW/C/SR.94, CEDAW/C/SR.98 and CEDAW/C/COL/2-3, and Official Records of the General Assembly, Forty-second session, Supplement No. 38 (A/42/38), paras. 452-502.

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Republic of Colombia Presidential Council
for Youth, Women and the Family

SECOND AND THIRD PERIOD REPORT OF THE REPUBLIC OF COLOMBIA

Submitted to the Committee on the Elimination
of Discrimination against Women

Santa Fé de Bogota, 27 August 1993

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INTRODUCTION

This is the second and third report of the Republic of Colombia on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women.

Its compilers used mainly documentary sources from the Ministries of Education, Health, Agriculture, Labour and Foreign Affairs, the National Planning Department, the National Department of Statistics, the Colombian Institute for the Development of Higher Education, the Colombian Institute of Family Welfare and the Presidential Council for Youth, Women and the Family.

They used the reports of international cooperation agencies such as the United Nations Development Programme (UNDP), the Inter-American Development Bank (IDB), the Economic Commission for Latin America and the Caribbean (ECLAC), the United Nations Population Fund (UNPF) and the Pan-American Health Organization (PAHO).

Finally, they took advantage of the recent findings of non-governmental organizations and private researchers, especially of the information gathered for this report by PROFAMILIA.

I. NATIONAL CONTEXT

A. Demographic considerations

In 1960 the population of Colombia was 32,978,170 of which 16,607,450 were women.

COLOMBIA

POPULATION TRENDS BY SEX AND REGION

	1970			1975			1980			1985			1990		
	T	M	W	T	M	W	T	M	W	T	M	W	T	M	W
Total	21 360 326	49.7%	50.3%	23 990 939	49.7%	50.3%	26 905 948	49.7%	50.3%	29 879 330	49.7%	50.3%	32 978 170	49.6%	50.4%
Urban	12 267 140	47.5%	52.5%	14 778 021	47.6%	52.4%	17 278 346	47.8%	52.2%	19 980 160	47.9%	52.1%	22 905 463	48.0%	52.0%
Rural	9 093 186	52.7%	47.3%	9 212 918	53.1%	46.9%	9 627 602	53.2%	46.8%	9 899 170	53.3%	46.7%	10 072 707	53.4%	46.6%

Source: National Department of Statistics.
Projections of Total Population: 1970-1990

In 1990, 70 per cent of the total population was urban, of which 52 per cent were women. Of the rural population, women constitute 46 per cent. The masculinity index is 98.5.

For the period 1990-1995, the total mortality rate is 5.93 per 1,000; the birth rate is 24 per 1,000; the total fertility rate is 2.90; and the annual average rate of growth is 16.62 per 1,000. Life expectancy at birth is 69.24 years, 66.36 for men and 72.26 for women. Population density is 25.79 inhabitants per square kilometre.

B. Socio-economic conditions

During the 1980s, Colombia was an exception within the Latin American region in that the per capita product increased and it did not accumulate a significant external debt.

Between 1981 and 1991 the annual economic growth was 3.4 per cent, which declined towards the end of the decade.

Although per capita income grew at an annual average rate of 1.5 per cent, economic imbalances and the slowdown in growth made it necessary to apply adjustment policies. Colombia was thus able to reduce the fiscal deficit and control devaluation.

In the first part of the decade there was an increase in real wages and a decline in employment. After 1984 the situation was reversed. Unemployment was reduced but real wages fell. During this second phase taxes increased and public expenditure was cut; non-traditional exports rose steadily and imports declined.

The recovery in economic growth achieved in the second part of the decade allowed Colombia to reach a rate of increase in GNP of 5.4 per cent in 1986-1987, to boost investment and to improve domestic consumption. Public social expenditure increased in real terms. As a result, urban employment recovered appreciably and jobless rates declined but the pre-1980 level was not reached.

One of the most disquieting trends during this period was the stagnation in productivity; its contribution to economic growth was negative. This constituted one of the major obstacles to the attainment of high rates of growth and investment and of a better competitive position. Also disquieting was a rate of inflation which remained above 20 per cent from 1986 onwards.

Three trends in Colombia's social development were apparent in the last decade: an advance in the satisfaction of basic needs, linked to an improvement in the housing infrastructure; a decline in household income; and an increase in violence.

(a) Advances in the satisfaction of basic needs. In the last two decades Colombia has achieved a remarkable improvement: in 1973 70.5 per cent of the population was unable to satisfy at least one basic need; by 1985 this percentage had been reduced by at least 35.3 points. During the same period poverty indices were almost halved. In recent years this improvement in the satisfaction of basic needs has continued.

(b) Decline in income. As a result of the decline in income registered since 1985, the percentage of households below the "poverty line" increased from 31.8 to 38.0 per cent between 1986 and 1988 and in 1990 was 34.7 per cent.

The rate of growth of the population below the poverty line was very high in this period and far outstripped the general rate of population growth.

These figures, in the light of the economic recovery which took place once the crisis of 1985-1986 had been overcome, reveal a situation already widely recognized at the international level: economic growth in itself does not lead to social development. Specific action is necessary to modify the distribution patterns of economic progress.

(c) Increase in violence. The decline in the conditions of coexistence and survival is reflected in the growth of common crime and political crime. The rate of growth of homicides was already fairly high in 1985: 4.3 per 1,000. This rose in 1990 to 7.3 per 1,000. The average monthly rate of homicides increased from 1,075 in 1985 to 1,856 in 1990: in 6 years their number rose to a total of 132,252. To this high rate of homicides must be added the large number of political crimes which, only between 1988 and September 1991, concerned 83,531 persons.

At the same time, the total number of crimes of physical violence rose from 77,064 in 1985 to 86,153 in 1990 with rates of about 25 per 10,000 and a growth of about 10 per cent a year. In addition, the drug wars between guerrillas and the army have continued to take human life and to have serious effects on the economy.

On the whole, during the 1980s, Colombia managed to avoid to a large extent the acute economic problems confronting its Latin American neighbours. It began an ambitious programme of development in conditions which made it

less vulnerable economically than other countries of the third world. On the other hand, the social and political situation remained fragile.

As regard the trends in the labour market, the numerous studies conducted during the decade agree that Colombia has a structural problem in not being able to create enough jobs. Already in 1986, the Chenery mission concluded that an annual average growth rate of 6 per cent was necessary to reduce unemployment to 8 per cent over a period of 5 years. Moreover, estimates of income distribution trends show that the breakdown of income growth has been uneven.

C. Political, juridical and administrative regime

Article 1 of the Colombian National Constitution states: "Colombia is a social State under the rule of law, organized in the form of a unitary Republic, decentralized, with autonomy over its territorial entities, democratic, participatory and pluralistic, founded on respect for human dignity, on the work and solidarity of its members and on the prevalence of the general interest."

The essential aims of the State are: "to serve the community, to promote general prosperity and to guarantee the effectiveness of the principles, rights and duties enshrined in the Constitution, to facilitate the participation of all citizens in the decisions which affect them and in the economic, political, administrative and cultural life of the nation, to defend its national independence, to maintain its territorial integrity and to ensure its peaceful coexistence and the preservation of order based on justice" (article 2 of the National Constitution).

"The authorities of the Republic have been established to protect all the persons living in Colombia as regards their lives, honour, property, beliefs and other rights and liberties and to ensure the fulfilment of the social rights of the State and of individuals" (article 2).

The Colombian people exercise their sovereignty directly or through their representatives. They have at their disposal the following mechanisms of democratic participation: the vote, the plebiscite, the referendum, the popular consultation, the open lobby, the legislative initiative and the revocation of mandate.

The State recognizes, without any discrimination, the primacy of the inalienable rights of the human person and protects the family as the basic institution of society (article 5).

The functions of the State are exercised by the three branches of public power, by the control bodies and by the electoral organization. The legislative branch consists of the Congress of the Republic whose main function is to amend the Constitution, make the laws and to exercise political control over the government and the administration. Congress is made up of the Senate and the House of Representatives. The Senate consists of 100 members elected nationally and 2 additional members elected in a special national election for indigenous communities. The House of Representatives is elected from territorial and special circumscriptions. Senators and Representatives are elected for four-year terms and represent the people directly. The Congress of the Republic lays down its own rules of procedure.

The executive branch is headed by the President of the Republic, elected for four-year terms. He is Head of State, Head of Government and supreme administrative authority. The National Government consists of the President of the Republic, the Ministers of State and the Directors of Administrative Departments.

The judicial branch is made up of the Constitutional Court, the Supreme Court of Justice, the Council of State, the Higher Council of the Judiciary, the Attorney-General's Office, the Courts and the Judges. By express disposition of the law, certain administrative authorities or individuals may exercise specific jurisdictional functions. Similarly, the authorities of the indigenous peoples may exercise jurisdictional functions within their territory and the law may create justices of the peace to resolve disputes equitably.

The control bodies are the Ministerio Público and the Contraloría General of the Republic. The Ministerio Público is mainly concerned with safeguarding and promoting human rights, the protection of the public interest and watching over the official conduct of public authorities. This Ministry is made up of the Procurador General, the Defensor del Pueblo, the delegates and agents of the Ministerio Público vis-à-vis the jurisdictional and municipal authorities.

The Contraloría General is responsible for supervising fiscal management and for checking the activities of the administration.

Finally, the electoral bodies are responsible for the organization of elections, their surveillance and matters concerning the identity of persons. They are the National Electoral Council and the National Civil Registry.

Territorially, Colombia is divided into 32 departments. These in turn are made up of districts, municipalities and indigenous territories. These

territorial entities enjoy autonomy in the management of their interests; they are governed by their own elected officials, administer their own resources and share in national revenue.

Each department has an elected administrative body known as the Departmental Assembly. It is responsible for managing the affairs of the department and providing its services. Heading the departmental administration is a governor, elected for a three-year term. He serves as an agent of the President of the Republic for the maintenance of public order, for the execution of general economic policy and for the implementation of agreements made between the nation and the department.

The municipalities also have an elected administrative body known as the Municipal Council which is responsible for managing their affairs and providing their services. The head of the municipal administration is the Mayor, who is elected for a three-year term.

II. LEGAL AND ADMINISTRATIVE MEASURES ADOPTED FOR THE IMPLEMENTATION OF THE CONVENTION IN COLOMBIA

A. Development of the rights and protection of women

In Colombia women have steadily improved their social status. In 1932, under Law 28, married women acquired civil capacity and were empowered to act as witnesses in all legal proceedings. The matrimonial economic provisions gave women the right to manage their property autonomously within the marriage. In other words, they acquired legal capacity.

Under Decree 1972 of 1933, they were allowed to enter the University and to engage in paid work, up to that time reserved for men. In 1936, during a time of great change, under the Affiliation Law, mothers acquired parental authority over their natural children and the right to demand financial support for them. This law also established a system for investigating paternity.

The constitutional revision of 1945 was a milestone in the conquest of women's equality. At the age of 21 they acquired citizenship and the right to be elected to political posts. They could hold public office implying the exercise of authority and jurisdiction. With the reforms of 1957, women acquired the right to vote and equality of political rights with men. They were now close to attaining full constitutional and legal equality. In 1962,

under the new labour regulations, now almost fully applied, women achieved the right to equal pay for equal work.

In 1974 Colombia issued Decree 2820 on the legal equality of men and women. It established equal rights for the two sexes; husband and wife were given joint authority over the household, including the decision as to where to live; they each exercised parental authority over legitimate children; and, in general, they enjoyed equality in the administration of property, legal usufruct and the extra-judicial representation of children. The Divorce Law 1 of 1976, for civil marriages, gave women the means of suspending communal living because of ill treatment, infidelity and for other reasons.

Law 51 of 1981 on the elimination of all forms of discrimination against women ratified the United Nations Convention on that subject. The provisions of the Convention were incorporated in national legislation. Under article 93 of the Constitution, "International treaties and agreements ratified by Congress, which recognize human rights ... take precedence in domestic law." Also, the articles of the Constitution on rights and duties must be interpreted in concordance with international treaties and agreements.

Decree Law 999 of 1988 abolished the rule that women should be entered together with their husbands on the certificate of citizenship. Finally, Decree 1398 of 1990, containing regulations in pursuance of Law 51 of 1981, developed further the principles of the Convention on discrimination.

B. National and regional machinery

The first body established by the Colombian Government to take care of women's affairs was the Colombian Women's Integration Council. This was in 1980 under Decree 367.

A policy for rural women was formulated in 1984 and approved by the National Economic and Social Policy Council. Specific institutions were set up to handle development programmes aimed particularly at women. Within the plan for Women in Development, Colombia opened a network of offices, programmes and special projects for rural women in public administration. These came within the purview of the Ministry of Agriculture, the Colombian Agricultural Institute, the Rural Integrated Development Fund and the Colombian Agrarian Reform Institute. Special units for women were also established in certain autonomous regional corporations.

In 1990, the CEDAW Coordination and Control Committee was established under Decree 1398. The membership was as follows:

- The Minister of Labour or his alternate, who shall be Chairman;

- The Minister of Education or his alternate;

- The Minister of Health or his alternate;

- A representative of the Chief of the National Planning Department;

- The Director of the Colombian Family Planning Institute or his alternate;

- Two representatives from the organizations which, in the Government's opinion, are most representative of women's interests;

- The secretariat of the Committee shall be headed by the Director-General of Social Security of the Ministry of Labour and Social Security or his alternate.

The functions of the Committee shall be:

- To ensure the strict implementation of the provisions of Law 51/81, Decree 1398/90 and other supplementary provisions;

- To study and suggest to governmental bodies measures designed to eliminate discrimination against women in any field of activity;

- To coordinate activities designed to stimulate or guarantee the active participation of women in the different spheres of national life under conditions of equality with men;

- To undertake any other activities related to non-discrimination against women.

However, so far, the Committee has not begun to operate.

The institutions established before 1990 remain but have grown weaker or have tended to disappear. This is true particularly in the agricultural sector and is the result of the process of restructuring and modernization begun with the promulgation of the new Political Constitution in 1991.

A present Administration (1990-1994) established the Presidential Council for Youth, Women and the Family early in the presidential term under Decree 1878 of 1990. It promulgated this Decree because the Constitution of

1991 laid down that it was the State's fundamental duty to guarantee the rights of children, adolescents, women, women heads of households, aged persons, the disabled and the family.

The Council is national in scope and is responsible for the direction, coordination, supervision and execution of programmes and projects which guarantee the exercise of the human rights of certain population groups and specifically the design of policies, plans and projects for Colombian women. For this purpose the Council is allocated resources under the Organic Budget Law.

The Council, besides the elaboration of the Integral Policy for Colombian Women, is beginning to establish machinery to carry out this policy at the departmental and municipal levels in 1992.

In response to the process of political and administrative decentralization, the strategy is to make special provisions within the planning processes of administrations and municipalities. These provisions are designed to incorporate the concerns of women within the policies and plans for regional and local development.

For this purpose, Colombia has been establishing subdepartments and offices for women and has been appointing individuals within the planning bodies of administrations and municipalities who will take into account the problems of women when preparing their development plans.

Plans for 1993-1994 envisage the broadening of this coverage by training officials in the planning offices of departments and municipalities in how to tackle the problems of women.

At the national level, there are women's representatives in the Ministries of Health, Education and Agriculture and in certain decentralized bodies such as the National Apprentice Service and the Colombian Institute of Family Welfare.

III. APPLICATION OF THE ARTICLES OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Article 1. Advancement of women

"For the purposes of the present Convention, the term 'discrimination against women' shall mean any distinction,

exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Article 2. Advancement of women

"States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women."

Article 3. Advancement of women

"States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."

The new National Constitution entered into force on 4 July 1991. The National Assembly was convened for its preparation. More than 80 women's national organizations participated in the Assembly's deliberation through the National Women's Network. Other participants were the Women's Popular National Movement, the Women's District Network, women lawyers' organizations and a number of local organizations.

The pertinent articles of the new Constitution which apply the general principles of the Convention on the Elimination of All Forms of Discrimination against Women are as follows:

"Article 13. All persons are born free and equal before the law. They shall receive the same protection and treatment from the authorities and shall enjoy the same rights, freedoms and opportunities without any discrimination on the grounds of sex, race, national or family origin, language, religion or political or philosophical opinion. The State shall promote conditions to ensure genuine equality and shall adopt measures in favour of groups which are discriminated against or marginal."

"Article 40. All citizens have the right to participate in the elaboration, exercise and control of political power ... The authorities shall guarantee the appropriate and effective participation of women at all decision-making levels of the public administration."

"Article 42. The family is the fundamental nucleus of society. It is made up of natural or legal ties, by the free decision of a man and woman to enter into matrimony and the responsible desire to uphold it."

Article 4. Temporary measures aimed at achieving equality between men and women

"1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory."

The Political Constitution of 1991 included some explicit references to the equality of women. The general rule on the equality of persons before the law allows the adoption of measures "in favour of groups discriminated against or marginal", "to ensure that equality is genuine". However, this provision has not yet been carried further as regards the rights of women.

As regards the right of citizens to participate in the elaboration, exercise and control of political power, the Constitution states explicitly that "the authorities shall guarantee the appropriate and effective participation of women in the decision-making processes of the Public Administration" (article 40). At the moment, the Congress of the Republic has before it a bill which is designed to set forth regulations to implement this provision. As this report is being prepared, it is very difficult to foresee what the final text will be.

The Constitution also enshrines the State's obligation to protect and give special support to women during pregnancy and after birth, and to women who are heads of households (article 43).

Through the Presidential Council for Youth, Women and the Family, the Government has launched a special programme to support women heads of households. It includes entrepreneurial training, housing improvement and personal development.

The main obstacle impeding the implementation of this kind of measure is the fact that in Colombia there is no tradition of affirmative action. Consequently, the idea of giving temporary help to underprivileged persons is firmly resisted.

Article 5. Elimination of sexist stereotypes

"States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases."

The mass media usually present images and values regarding the roles of men and women which conform to the traditional views of the sexes.

The formal educational system, at all levels, tends to reflect a stereotyped idea of men and women in the contents of the curriculum. This stereotyping serves to restrict the possibilities of giving technical and vocational training to women.

The activities associated with reproduction continue to be assigned to women as an extension of their maternal functions. Few studies have been made of the significance of these activities in terms of time spent and overload of responsibilities.

Measures adopted

There is no specific legislation which seeks to uphold the honour and dignity of women as they are portrayed by the mass media.

Colombian educationists have launched measures to improve the quality of female education and to encourage the production of non-sexist textbooks. These measures are discussed in greater detail under article 10.

Violence against women

In 1990 the Survey of Demographic and Health Trends included a study of family violence. It found a high level of ill-treatment of women and children.

Out of a total of women who had been married at some time or had participated in free unions, 65 per cent said that they had fought violently with their partners; a third of them had been abused; one in five women had been beaten; and one in ten had been forced to have sexual relations.

Those who were abused said that what their partners criticized most was their housework (18 per cent), the raising of the children (12 per cent) and relations with their families (9 per cent). Women were also reproached for their work outside the house (7 per cent), their sexual capacity (6 per cent) and their intellectual capacity (5 per cent). The main causes of beatings were given as drunkenness (40 per cent) and malice (30 per cent). Other reasons given included allegations of infidelity (12 per cent), failure to fulfil obligations (6 per cent), problems with the family (5 per cent) and the ill-treatment of the children (3 per cent).

Of the women who had been beaten a little over half (51 per cent) had remained passive. Of the remaining 49 per cent, i.e. those who had resisted, three-fifths had not complained to the authorities and only 11 per cent had done so; 24 per cent had complained to a friend or neighbour. Of the 11 per cent who had complained to the authorities only 15 per cent had gone to the Colombian Family Welfare Institute and 4 per cent had gone to court; 62 per cent had gone to a police station and 8 per cent to a police emergency room.

The statistics show that family violence is more frequent in the towns than in the countryside. In the urban areas the most frequently cited causes of violence are reproaches about relations with the woman's family and about work outside the home. In the rural areas women are attacked because of their housework, the raising of children, sexual demands and age.

Measures adopted

Article 42 of the National Constitution states: "Any form of violence in the family shall be considered to be destructive of its harmony and unity and shall be punished in conformity with the law." Regulations are being prepared to give effect to this article. The Ministry of Health is developing a subprogramme for the prevention of ill-treatment and for the care of its victims. The aim is to work out policies and carry out plans and actions to

prevent violence and to look after women and children who have suffered from violent attacks within the family. The subprogramme is geared towards the areas of treatment, prevention and investigation.

The present Government has given special support to the initiation of Family Commissions which form part of the National Family Welfare System which are under the jurisdiction of the municipalities and are investigative by nature.

The main objective of the Family Commissions is to help resolve family conflicts by methods of conciliation and by the avoidance of legal proceedings. They also serve as a focal point for other private or governmental institutions which can provide specific help for family members. At the moment 87 Commissions are operating in Colombia.

Article 6. Prostitution

> "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution or women."

Prostitution may be considered a commercial relationship (in money or kind) providing physical and/or symbolical access to the body of another person. It is an unbalanced relationship in terms of economic, political, physical or symbolic power. It therefore constitutes an act of violence against its weaker partner and hence an attack on his or her human rights and fundamental freedoms.

The hidden face of prostitution is that of the procurer and the different forms of the sexual exploitation of women, young people and children of both sexes. Traffic in sex is normally linked to traffic in drugs, alcohol, pornography and many other criminal activities and brings with it large-scale violence and corruption. Besides its degrading effects, it is highly dangerous for the lives, health and security of those who engage in it.

Because of its economic and socio-cultural origin and its "naturalization" in Colombia, prostitution is a very serious problem in terms of social invisibility and moral insensitivity. There are no figures or studies of prostitution at the national level. Information concerning the four largest cities is dispersed and fragmentary and for other localities even more so. It is impossible to establish trends, modalities and practices by region or market levels. Only recently has prostitution been reported in the media with any accuracy.

We are thus faced with a vicious circle: the scant attention paid to the problem (diagnosis, description, analysis and interpretation) obviates any realistic consideration of prostitution and the design of specific programmes. At the same time, minimum concern with it in State policies and programmes impedes a more systematic registration of the public involved.

On the legal and political fronts there have been important advances in recent years. In the last decade a wave of violence has weakened the judicial apparatus, eroded social expenditure and increased the already wide margin of impunity enjoyed by those engaged in prostitution, especially at the street level (the only one for which studies have been made). Recent processes have tried to reverse this trend and to strengthen the presence of the State.

In Colombia prostitution is not a punishable offence. It is left to the regional legislator (Departmental Assembly) and local legislator (Municipal Council) to issue specific regulations. The three levels of the Colombian State are planning non-compulsory rehabilitation services with health and training programmes. At the same time, although very unequally among the regions, procuring and traffic in women are penalized.

(a) In the National Constitution (1991) articles 17 and 26, respectively, prohibit slavery and servitude and the traffic in persons and proclaim the freedom of professions and employment.

(b) In the Penal Code, under the title "Offences against Sexual Freedom and Honour", Articles 303-306 lay down penalties for carnal access to minors below 14 years and establish aggravating circumstances. Articles 308-312 lay down penalties for procuring, rape, international traffic and the sexual exploitation of women and minors.

(c) The Code of Offences against Minors (Decree 2737 of 1989) increases the age of minors to 18 years and amends articles 31, 32, 234, 246, 247, 265 and 272 on sexual offences and aggravating circumstances.

(d) The National (1970) and District (1989) Police Codes lay down penalties for establishments used for prostitution. They establish "temporary detention of 24 hours" for persons who profit from the prostitution of others.

(e) Other recent provisions appear to have little relevance for the Colombian people and for their priorities. Thus, Law 11 of June 1992 approving the Additional Protocol to the 1949 Geneva Conventions on international armed conflicts upholds inter alia "special respect and protection against rape, forced prostitution and any other attack on a person's honour" while Decree 666 of April 1992 authorizes the expulsion of

those engaged in procuring. In fact, repressive, preventive and protective action by the Colombian State is triggered more often by guerilla wars, civilian insecurity and rackets on a national scale.

Popular organizations like Citizens' Watch are new instruments used for the participation of citizens in the defence of their rights. In 1992 they issued a statement in which they stressed the lack of regulations and the social tolerance of prostitution. While their arguments are debatable from the woman's viewpoint, they put forward a very important subject for discussion.

The machinery proposed in the new National Police Statute (Law 62 of 1993) also constitutes an advance in the control of the high levels of violence and corruption associated with prostitution.

There have been some beginnings of collective action on behalf of prostitutes, especially in Bogota. It was an issue in the 1991 Assembly and in the local elections of 1991. A joint organization of men and women representing the trade has acquired legal personality and there is discussion of its social significance. While this may be debatable, such a movement represents an auto-affirmative action and a quest for recognition and dignity.

Obstacles to the achievement of the aims of the Convention

The foregoing remarks have indicated advances in the provision of support and protection for prostitutes as citizens. We now deal with certain aspects of their individual situation and their social needs.

Of the many obstacles impeding the application of this article, the biggest is the invisibility and insensitivity already mentioned. As a result prostitution is not a priority for the State or for society. Thus, the failure to recognize its special nature (irregular hours, health and security risks, lack of documentation, etc.) is another motive for discrimination against prostitutes vis-à-vis the State services.

Lack of regulation: The legal tolerance of the daily practices of prostitution leads to dispersal, the encouragement of procuring and the proliferation of establishment with no minimum health or security requirements. Consultations should be initiated with the sectors concerned to encourage the establishment of appropriate regulation machinery.

Lack of specialized programmes: State and private activities (usually by Catholic priests or lay-men and -women) are on a small scale, dispersed and of very short duration. The work of prevention is almost non-existent. It is

therefore urgent to design programmes which establish priorities and incorporate this sector of the population in regular programmes by local administrations. The actions of the different social organizations must also be coordinated.

Documentation: Many prostitutes do not have an identity card or other document that effectively recognizes their status as citizens. This often leads to abuse by the police and impedes their relations with the State. On a more abstract level, the lack of documentation represents the most flagrant denial of their political and social identity.

Finally, the stigma attached to prostitutes and their activities is a much more difficult obstacle. People continue to think of prostitution as a matter of private morals and not as a problem of ethics in a society which seeks to be democratic. The role of the media is of vital importance in portraying this problem in a more secular and respectful light.

On the national level, as pointed out throughout this report, there are no specific measures designed to overcome the obstacles standing in the way of implementing this article of the Convention. Nevertheless, within the purview of Women's Policy, Women for Health and the National Sexual Education Plan, among others, there is the possibility of specific intervention.

Article 7. Participation of women in political and public life

"States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country."

Women in elections and public bodies

Legally, there is nothing to stop women voting in popular elections or to running for public office. However, the participation of women as elected officials (see table) is much lower than their participation as electors, where they make up more than 50 per cent of active voters.

Body	1988	1990	1991	1992
Senate	-	1%	7.2%	-
House	-	8.5%	6.9%	-
Departmental Assemblies	7.8%	7.1%	-	8.3%
Municipalities	5.7%	6.5%	-	5.4%
Departmental Councils	-	-	3.7%	-

Source: National Registry of Civil Affairs, National Electoral Department.

In 1991 a National Assembly was elected with the task of amending the Constitution. Of its 70 members, 4 were women (5.6 per cent). In the same year a new Congress was elected, its previous mandate having been revoked by the Assembly. The basic task of the new Congress was to elaborate the recently drafted Constitution. Women constituted 8 per cent of the total number of representatives elected to this Congress.

Finally, in the four elections held in Colombia since 1988, women on the average have only occupied 17.2 per cent of the total number of public elected posts.

Participation of women in the State structure

In 1988 women held 18.3 per cent of State posts at the directive, advisory and executive levels of the administration. In the judicial branch, women occupied 10.2 per cent of the auxiliary judge posts on the Supreme Court and 16.6 per cent on the Council of State.

In the present Government, which took office on 7 August 1990, there are three women Ministers. One - Agriculture - has resigned; those for Education and Foreign Affairs are still in office.

For the year 1991, of the 259 decision-making jobs in the State Executive Branch (including Ministries, Departments and the diplomatic corps) 56 were held by women, i.e. 21.6 per cent. However, there are fewer women at the highest levels: Ministers (7.9 per cent), Vice Ministers (0 per cent), Heads of Department (0 per cent), Ambassadors (6.8 per cent).

At these levels, the figures for women occupying decision-making posts are as follows: Ministries, 31 posts, or 22 per cent; diplomatic corps, 24 posts or 20 per cent; in Departments, 19 posts or 21.9 per cent. Finally, 42.9 per cent of civil servants are women but for the most part they are not in decision-making jobs.

In 1992 women occupied on the average 7.1 per cent of the decision-making posts in the executive branch (Ministries, Departments) and 4.6 per cent in the judicial branch (Constitutional Court, Supreme Court and Council of State).

To sum up, we can say that, although women have increased their participation in the decision-making bodies of the State, they have not reached the highest levels equitably and continuously.

Women in political movements, trade union organizations, communities and cooperatives

Trade union organizations

A revision of the 1984 census reveals that in the city of Bogota women represented one third of the trade union workers. This trend was maintained in 1991 in the four major departments of Colombia. As regards the size of the unions, in both the State and private sectors, their participation in unions with fewer than 50 members was about 25 per cent, in unions with 100 to 149 members 17.5 per cent and in unions with 500 or more members 33.5 per cent. A more detailed revision shows that, while female participation moves upward with the size of the union in the public sector, in the private sector there are oscillations which suggest that women participate less in larger bodies. This trend is related to the steady drop in private-sector jobs as a result of economic processes, inflation, high labour costs and insecurity.

Members of unions, State sector, by size of union and by sex, according to 1991 union census

Size of union members	Percentage men	Percentage Women	Total
0-50	69.9	30.1	25 080
50-99	70.6	29.4	30 151
100-149	77.0	33.0	25 573
150-199	76.6	23.4	25 426
200-499	69.6	30.4	97 360
500 or more	53.8	46.2	315 823

Source: Trade union census, 1991. Ministry of Labour.

Members of unions, private sector, by size of union and by sex, according to 1991 union census

Size of union members	Percentage men	Percentage Women	Total
0-50	64.4	35.6	20 792
50-99	77.0	23.0	22 026
100-149	84.7	15.3	18 157
150-199	76.1	23.9	16 222
200-499	61.0	39.0	68 802
500 or more	82.9	17.1	146 118

Source: Trade union census, 1991. Ministry of Labour.

Women have a larger presence and are more active in posts related to the agricultural sector: 57 per cent of total union members. In commercial services women represent 50.2 per cent of members, in community services 48.2 per cent, in public services 40.3 per cent and in financial services 35.1 per cent.

It may be concluded that there are more women in jobs associated with their traditional roles. Here, they can aspire to high-level posts. In male-oriented jobs they are nearly always secretaries or on "female committees". They do not have access to positions of power.

Political parties

The participation of women in political parties as candidates for public office is about 8.5 per cent. In the top echelons it is barely 3 per cent. These percentages are roughly the same for the different parties.

Community organizations

Women are leaders, they organize local activities, convene meetings, engage in fund-raising, seek government help for their problems and are elected to community organizations. But very few attain top posts. Less than 30 per cent of the members of local boards, participation committees and community associations are women. Of these most are secretaries, treasurers or domestic workers.

Cooperative movement

In 1987, of the marketing, production and housing cooperatives, 7.28 per cent were managed by women. Most women participated in production cooperatives. In 1989, 12.36 per cent of the cooperatives in Colombia (3,315) were managed by women. Mutual aid cooperatives had the most, followed by multi-active cooperatives. In 1990 there were 4,374 cooperatives in Colombia of which 14.7 per cent were managed by women with the majority in mutual aid cooperatives.

Women's cooperatives represent only 1.5 per cent of the national total. Their main problems are the need to consolidate working capital, lack of social security programmes, shortage of day nurseries and reproduction of women's traditional roles.

Social movement of women

There are different categories of organized women's groups. They include those forming part of the different political movements, women's promotion and service institutions, women participating in popular and community groups and women who are linked with union organizations.

The Presidential Council for Youth, Women and the Family carried out a study in 1993 on the non-governmental organizations dedicated to the promotion of women. It found that 180 organizations were involved in this work.

At the national level, there are the Women's National Network, which comprises 80 groups and institutions, the National Association of Country and Indigenous Women, the Association of Community Mothers and the Popular Women's Movement. At the same time, women's professional associations have been formed. They include women lawyers, nurses, accountants and representatives of minority groups.

Obstacles to the participation of women in political and public life

The access of women to certain areas of political life is impeded by cultural drawbacks which restrict their progress and their mobility within the State structure and within political organizations.

There is no clear policy, in terms of specific measures and a search for machinery which will transform the existing set-up, which will give women access to top-level posts within the State structure or in civil organizations.

Women continue to play a reproductive and productive role and in many cases the community occupies their time and restricts their movement towards other fields.

Women are not yet organized in sufficient strength to constitute a pressure group which can confront the State institutions and political organizations in order to achieve greater participation in decision-making jobs and put their case on the agenda of those institutions.

Means adopted to overcome these obstacles

The Constitution of 1991, article 40 states: "The authorities guarantee the appropriate and effective participation of women at the decision-making levels of the public administration." Regulations are being prepared to give effect to this article.

Article 8. Women's participation as government representatives and in international organizations

"States parties shall take all appropriate measures to ensure to women, on equal terms with men and without any

discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations."

Under the Constitution, Colombian women, in conditions of equality with men, can represent their Government at the international level and participate in the work of international organizations.

At the moment, the Ministry of Foreign Affairs is not advancing a programme to quantify the participation of men and women in the domestic and foreign service. However, the information available shows that in the domestic service women have increased their participation at the directive (50 per cent), professional (45 per cent) and executive (52.6 per cent) levels. Abroad, we have information about the number of ambassadors - 6.8 per cent of the total.

The lack of a systematic register of men and women in the foreign service makes the implementation of this article of the Convention difficult.

Article 9. Nationality

"1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children."

Under the Constitution, women have the same rights as men in acquiring or renouncing nationality. Neither marriage nor the husband's change of nationality can affect the nationality of the woman.

Colombian nationality is acquired by birth or adoption in the following cases:

By birth:

(a) Native-born Colombians, with one of two conditions: the father or mother, having been native-born or nationals of Colombia or, being children of

aliens, one of the parents must have been domiciled in Colombia at the time of birth.

(b) Children of a Colombian father or mother who were born abroad but were subsequently domiciled in Colombia.

By adoption:

(a) Aliens who apply for and obtain a naturalization card, in accordance with the law, which shall establish the cases in which Colombian nationality may be lost by adoption.

(b) Latin Americans and residents of the Caribbean by birth domiciled in Colombia who, by authorization of the Government and in accordance with the law and the principle of reciprocity, apply to be registered as Colombians to the municipality where they are established.

(c) Members of indigenous people who share frontier territories, in application of the principle of reciprocity set forth in public treaties.

The principles which govern the loss of nationality are as follows:

(a) No native-born Colombian may be deprived of nationality.

(b) Colombian nationality may not be lost by the acquisition of another nationality.

(c) Nationals by adoption shall not be compelled to renounce their nationality of origin or adoption.

(d) Those who have renounced Colombian nationality may recover it, in accordance with the law.

Article 10. Education

"States parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural

as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaption of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning."

Illiteracy in Colombia has declined sharply: from 24.9 per cent in 1973 to 9 per cent in 1990. Nevertheless, in the rural sector 23.4 per cent of the population is still illiterate, the majority being women.

For the period between 1989 and 1991, women represented 50.7 per cent of pre-school enrolment and 49.2 per cent of secondary and vocational enrolment.

As regards the total number of educational establishments, between 1984 and 1990, there was a decrease in those providing education for women only (from 21.6 per cent to 15.3 per cent).

During the same period, mixed establishments increased from 69.7 per cent to 79.6 per cent. In other words, co-education was steadily gaining ground.

In higher education, in the last 30 years women have made important advances: in 1960 barely 18.4 per cent attended universities; by 1990 this participation had risen to 51.7 per cent.

Higher education: preferred subjects, by sex, 1990

Preferred subjects		Men	Women	Total
Agronomy, veterinary science and related subjects	N	8 402	5 034	13 436
	%	8.70	4.17	6.19
Fine arts	N	4 604	8 292	12 896
	%	4.77	6.88	5.94
Educational sciences	N	7 048	16 827	23 875
	%	7.30	13.96	11.00
Health sciences	N	9 573	29 419	38 992
	%	9.92	24.49	17.96
Social sciences Law, Science, Politics	N	6 584	15 059	21 643
	%	6.82	12.49	9.97
Economics, administration, accounting and related subjects	N	13 199	24 010	37 209
	%	13.67	19.91	17.14
Humanities and religious studies	N	878	1 163	2 041
	%	0.91	0.96	0.94
Engineering, architecture and related subjects	N	44 029	18 794	62 823
	%	45.61	15.59	28.93

Table (continued)

Preferred subjects		Men	Women	Total
Mathematics and natural sciences	N	2 223	1 981	4 204
	%	2.30	1.64	1.94
Total	N	96 540	120 579	217 119
	%	100.0	100.0	100.0

Source: ICFES. Statistics for each subject area.

As the above table shows, in spite of the advances made, women are concentrated in those subject areas associated with their traditional roles: educational sciences, teaching, health sciences such as nursing, or the paramedical disciplines such as psychology, social work, nutrition and therapy. However, there is an increase of female registration in economics, accounting, engineering and related subjects.

For 1991 the breakdown of women teachers was as follows: 96.2 per cent at the pre-school level, 78 per cent at the primary level and 46.8 per cent at the secondary level.

In 1992, 12.8 per cent of university establishments were run by women. More women at this level were noted in the private sector.

A University Network of Sex Studies has been founded, with regular meetings, exchanges of information and studies of this project.

Dropouts

At the primary level, the female dropout rate between 6 and 11 years of age is determined by, in order of importance, costs, change of residence and lack of places. For the 12-17 group the causes are the need to work and costs.

At the secondary level, the causes of dropping out are the need to work, marriage and costs.

Programmes in execution

Family education programme for child development

This programme, with national coverage, seeks to modify the behaviour of children, young people and adults as regards human sexuality, family life and environmental education, using methodologies and curricula focussing on the sexes.

In 1990 the programme involved: 8,880 instructors, 10,220 family groups, 173,970 rural dwellers and 232,723 minors.

New schools in rural areas and active schools in urban areas

The New School Programme has been adopted by the Ministry of Education as the basic methodology for primary education in the rural areas for children between 6 and 14 years. The aim is the elimination of all forms of discrimination in the social and educational patterns of girls and boys, so that there is real equality of opportunity for their integral growth and development.

One million children have benefited from this programme of which 55 per cent are girls and 40,000 teachers have been trained.

Programmes and measures for dropouts

To encourage the return of dropouts, article 318 of the Code of Minors states that the Ministry of Education must organize a national programme of remedial courses at the primary level so that dropouts can catch up to the level where they should be. This programme is to reincorporate dropouts within schools without traumatic effects.

The Constitutional Court has ruled that pregnant adolescents have the right to continue their education and cannot be expelled from school.

Programmes for the production of non-sexist textbooks

The Presidential Council for Youth, Women and the Family has sponsored a study of school textbooks and the preparation of recommendations to ensure that they are non-sexist. At the moment, the Council is working with the

Ministry of National Education is holding workshops for editors of textbooks and for teachers, so as to bring home to the educational establishment the need to avoid sexual stereotypes.

The Ministry of Education is planning to publish a guide on non-sexist textbooks as an encouragement to publishers to follow the guidelines laid down.

Programmes and access to supplementary education

The "Social Policy for Young People and Women" formulated by the Presidential Council for Youth, Women and the Family has as its main aim the establishment of modern and efficient machinery to incorporate women in all economic processes in both town and country.

In cooperation with the National Apprentice Service and the Ministry of Labour, technical training programmes will be modernized so that women will have access to new and more profitable fields of vocational training and obtain employment in the dynamic areas of the economy. These programmes will be oriented towards women between 25 and 59 who have the best qualifications for labour adaptation.

Project for the improvement of women's working conditions in Colombia

The National Apprentice Service and the Ministry of Labour will seek the promotion of women in their vocational training programmes so as to increase their self-esteem and encourage them to choose careers from a broader range of possibilities than those traditionally offered.

Obstacles

From 1985 onwards, DANE and the Ministry of National Education redesigned the contents of the university registration form (C.800), making it simpler, eliminating the sexual and age variables and the educational levels of the teaching staff.

In spite of the increased average, there are still problems of quality in female education. Studies by the Colombian Institute for Higher Education show that mixed schools occupy the last place and that women's schools are consistently inferior to men's.

The bills for educational reform now before the Congress do not take into account the sex factor. Nor do they propose temporary measures to accelerate equality between the sexes. This is the case with the projected General Education Law of 1992 which does not contain articles relating specifically to women.

Boys and girls continue to be treated differently: service jobs are given to the girls, decision-making jobs to the boys. In spite of increased female participation in traditionally masculine careers, women are still concentrated among service disciplines.

Measures adopted

Legislative measures

(a) National Constitution of 1991

The State, society and the family are responsible for education, which shall be compulsory between 5 and 15 years and shall comprise as a minimum, one year of pre-school and nine years of basic education. Education shall be free in State institutions.

Article 67 lays down inter alia that education is a personal right which has a social function. Education provides access to knowledge, science, technology and the other advantages of culture. Colombians will be trained in respect for human rights, peace and democracy; in the practice of work and recreation; in cultural, scientific and technological progress; and in the protection of the environment.

(b) Code of Minors (Decree 2737 of 1989)

The Code lays down that minors of 18 years and under must receive education and integral training up to the ninth grade of basic and free education. The right is to be extended to minors of indigenous communities, with due respect for their traditions and language.

(c) Project Grade Zero

Since 1992 the Ministry of Education has been developing a project known as Grade Zero. This is designed to achieve the integral development of boys and girls between 5 and 7 years. It involves the family and the community directly and the aim is to change sexual roles and stereotypes.

Article 11. Labour development

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take all appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary."

One of the most significant developments of recent decades is the massive incorporation of women into the labour market. Colombia has not escaped this trend. Fundamentally, it has brought out the value of domestic work up to now considered as natural.

The incorporation of women seems to aggravate the traditional problems of the absorption of manpower. It runs counter to the decrease in the labour force caused by young people staying longer at school and by old people retiring earlier.

Moreover, the model of the nuclear family in which the man works and the woman bears children has lost ground. Other family patterns have appeared: families headed by women, families where both parents work, extended families in which other members do the domestic chores so that the mother can work. As a result of the decline in fertility and greater life expectancy, women spend less time on domestic work and childraising and are more available for the labour market.

During recent decades, Colombian women have been increasing their participation in productive activities more rapidly than men. As a result, the employment gap between men and women is steadily being reduced. This phenomenon is not unique to Colombia. In most Latin American countries between 1960 and 1980 there has been a decline in male employment and a rise in female employment.

In 1990, 51 per cent of workers were women and 49 per cent men. Of the almost 5 million active population 41 per cent were women. In 1982 37 per cent were women. This labour movement has been the result of important changes in the age structure of employment. In the last decade, the active population has been concentrated among the intermediate age groups. The

younger group (under 25) and the older groups (50 and above) have worked less. The decline in youth employment may be due to longer stays at school, both at the primary and secondary level, which have been observed in recent decades, especially in the towns.

For the four main cities, in 1990, the educational level of active women was very similar to that of men: the average schooling for each group was 8.7 and 8.4 respectively. The superiority of women is also apparent at the higher levels of education: 49.5 per cent as opposed to 48.8 in secondary schools, 20.3 per cent as opposed to 18.1 per cent in higher education. Thus, these higher educational levels may explain in part the greater participation of Colombian women in productive activities. Their higher achievements at school are reflected in their greater participation in employment. Obviously, the investment in human capital represents greater productive capacity, greater social mobility and greater income. This shows again the important role played by education in improving the people's living conditions.

As poverty increases, the general rate of labour participation declines, especially in the case of women. Of richer women, 1 in 3 takes part in the labour market; among poor women this proportion falls to 1 in 5. Here, the relevant factors are: (a) the poorer group has lower levels of education; (b) the number of persons in the household increases poverty; (c) the minor age group of 10 or less is greater in the poor households. The number of children has a negative effect on the employment of poor women.

The trends observed in the labour supply by levels of poverty may be explained by demographic, economic and social factors. These, together with micro-economic and dynamic determinants define the structure of the global rate of participation. The same demographic, social and economic conditions of the low-income groups induce them to form family groups, like the extended family, to ensure their survival and improve their living conditions.

The incorporation of women into the labour force is another strategy for survival among the low-income groups. The high unemployment levels and the decline in real wages during the beginning of 1980 have led women to seek work to make up for loss of real income in the household. This economic pressure stimulates female participation in the labour force: the greater the pressure, the greater the women's contribution to the household income. However, their few employment opportunities and their low levels of education have often led them to work in the informal sector where remuneration and working conditions are the lowest in the economy.

The incorporation of women into the labour force has been so rapid that it not only makes up for the decline in male employment but also, over the

long term, by 2025, will increase women's participation in the total labour force to 52 per cent. In spite of this dynamic surge in the female labour supply, by 1995, it is expected that the rate of female economic activity (33.6 per cent) will be barely half that of male activity (64.1 per cent). However, the trend is towards the achievement of similar levels to those observed in the industrialized countries. In Sweden and Denmark, where equality of employment is most advanced, the global rates of female activity for 1985 were 43 per cent and 49.7 per cent, respectively.

The demand for female employment

Two features characterize female employment trends in Colombia. The first is the rapid ascent of women within the labour force and the attainment of good jobs for a women's élite in the formal sector of the economy. In this case, women have made important gains in obtaining access to decision-making posts and the ownership of enterprises. The second feature is the rapid and massive entry of women into the paid labour market but in very unfavourable conditions: they have higher unemployment rates, their work is often temporary and badly paid, and they are more versatile in becoming adapted to an instable labour market. Important advances in education are not reflected in improvements in their conditions of work.

During the 1980s the volume of employed women increased in proportions much higher than that of men. In 1987 the female rate of increase reached almost 9 per cent.

According to the National Household Survey of 1990, there are 1.7 million female workers in the main cities. Of these 90 per cent are engaged in three areas of employment: social and personal services (38.4 per cent), restaurants and hotels (27.1 per cent) and manufacturing (24.1 per cent). These are the areas in which the female presence is the largest. They represent 56 per cent of service workers, 43 per cent of commercial workers and 43 per cent of manufacturing workers.

As this structure evolves, women have boosted their share in commerce and financial services. The modern side of these sectors has launched an accelerated process of technification in which women have played a significant role. On the other hand, their participation in manufacturing, community and personal services, and especially domestic service, has decline. The proportion of female domestics has fallen by one half between 1976 and 1989.

There has been a significant growth of female employment in agriculture. Women represented 15 per cent of the total in 1976; in 1989 22 per cent.

Although the statistics do not reveal it, this rise is probably due to the increase in non-traditional exports, such as flowers and other products, where women are more frequently employed and which are to be found in peri-urban areas.

As regards the structure of employment by occupational categories, there has been a considerable increase in the category of unpaid women who own businesses. In 1989 females constitute more than a third of the unpaid total but also constitute a similar proportion of independent workers.

The female labour force in the public sector

In Colombia public employment is not so important as in other Latin American countries. It comprises 7 per cent of the labour force. Nevertheless, it is a market of great significance for women: 40 per cent of them are employed by the State because there is less discrimination in this sector. They play a significant role among administrative, professional and technical personnel. The salary difference between men and women is 17 per cent. This reflects the different occupational profile: more administrative and technical jobs for women, more executive jobs for men.

The female labour force in the formal manufacturing sector

According to the Household Survey, women have boosted their share in all industrial branches, from 32 per cent in 1976 to 38.4 per cent in 1989.

In 1990, in formal industries, i.e. units of more than 10 employed persons, the women's share was 31 per cent. This figure is barely 18.8 per cent of all manufacturing employment, including the informal sector, 11.3 per cent of the whole labour force and 4.4 per cent of all workers in the 10 main cities.

Half of the female labour force is concentrated among clothing (24.6 per cent), food (13.8 per cent) and textiles (12.3 per cent). They have a smaller but still important role in footwear, printing and chemicals.

There are very wide variations in the intensity of female labour, ranging from sectors employing less than 10 per cent (executive posts, refineries, non-metallic industries, iron and steel) to those employing more than 40 per cent (clothing, footwear, chemicals, scientific equipment and leather goods). About a third of female labour is concerned with food, printing, plastic and electrical machinery.

The female presence is still weak among directors and technicians but women make up 40 per cent of employees and 31 per cent of owners. The workers' category is predominantly male. Nevertheless, there is a slow but progressive trend towards a greater female share of executive jobs and, to a lesser extent, of technical jobs and ownerships.

Female employment in the informal sector

In 1990 half the labour force in Colombia was engaged in the informal sector. Here, women play an important role: 40 per cent of the total in that year. Fifty-one out of every 100 women have jobs in this sector. This proportion is slightly higher than that of men (48.3 per cent). However, there are marked differences between men and women in types of informal work and the returns obtained.

One of the most significant features of female informal labour is its isolation. Of all informal women workers almost two thirds work alone. Only 1 in 5 men do so.

The difference between male and female informal work may be seen in the kind of establishments involved. Women are usually employed in small units which generate low returns, since the level of productivity of one-person businesses is minimal.

Personal and communal services are the most labour-intensive and the main refuge for female labour both in the formal and informal sectors. Almost a half of the women engaged in informal activities (47.3 per cent) are employed in services, 12.7 per cent more than those in the formal sector (34.6 per cent) and 24.2 per cent more than men in the formal sector. These jobs lack economic and social recognition, being menial in character, and therefore badly paid.

The informal sector includes a large number of independent workers. Of these 46.4 per cent are men. Women account for only 36.6 per cent because of the high proportion of them in domestic service. In this almost exclusively female activity they constitute 26.7 per cent. Considering domestics as independent workers, since very few of them have labour contracts or enjoy economic stability, women working on their own account would reach 63.3 per cent. Among the women engaged in services 62 per cent are domestics and constitute the largest group of the whole informal sector (26.7 per cent). They are followed by independent women commercial workers (15.9 per cent).

Wage differentials

Wage differentials, which have been the subject of a number of studies, vary between 10 and 30 per cent. However, in this field more than any other, averages do little to show the real up-and-down deviations which are considerable.

Women's income is still systematically lower than men's at all educational levels, in all age-groups, in all branches of activity and all occupational positions. Although the differentials vary, depending on the sector (formal or informal) and the level of education, there is no doubt that women are at a great disadvantage in this respect.

In Bogota, on the average, men earn 32.7 per cent more than women per hour of labour. The differential varies between 3.2 per cent in favour of women in transport to 127.8 per cent in favour of men in supervisory posts. Between service workers the differential is 31.3 per cent in favour of men and between sales workers the difference is 92.5 per cent in favour of men.

In the formal sector better qualifications do not give women better chances of competing with men. However, the situation is different for the new generations. Among younger women, remuneration is equal in the informal sector and appreciably better in the formal sector.

When the conditions for entry to the job market are equal, the rates of pay also tend to be equal. For example, men and women under 25 with higher education have similar salaries and in general in the formal sector in this age-group there is less inequality.

When wages decline, women work in order to increase the household income. In recent times, one drawback for women has been that the wage decline has meant that more of them have been concentrated at the low-income levels. Thus, in 1991, the proportion of women earning less than the minimum wage was 3.5 times higher than that of men.

Nevertheless, apart from the value of the average differentials, the income distribution is very different between men and women. Women are concentrated disproportionately at the lower levels of distribution. What is even more significant in terms of policies is that the income of these women at the lowest levels deteriorated more sharply than men's between 1985 and 1991: the proportion of women earning less than the minimum wage rose from 44.5 per cent to 57 per cent in 1991.

Working conditions, social protection and labour market of women

Social security means strictly the coverage of risks faced by the labour force throughout its productive life. It originates and is developed to respond to the needs of the formal sector of the economy. Here, the coverage reaches 75.8 per cent of employed persons. However, only 24.4 per cent of workers in the informal sector are covered. Coverage is slightly lower for men: 22 per cent as opposed to 28 per cent for women.

Between 1984 and 1988 coverage by the social security system as a whole was stable. But there was an increase in the protection of the traditionally unprotected workers: domestics (+ 3.5 per cent), independent workers (+ 3.6 per cent) and unpaid heads of small businesses (+ 11.3 per cent).

Since a large number of the poorest women work in the informal sector, very few of them carry any form of social protection, whether in the form of social security or private protection. Under the law, domestics and independent workers are eligible for social security but the cost of the contributions make this right a mere formality.

With regard to the problem of security and industrial hygiene, the situation is equally precarious. The Ministry of Labour does not collect information on occupational accidents and diseases by sex. Furthermore, it is well known that the State does little to control the health conditions of workers. Women, especially, are ignorant of the damages they face and the standards of security. They rarely complain or denounce the existing situation. The Presidential Council for Youth, Women and the Family, through its health programme, is now investigating the conditions and programmes of occupational health in Colombia. Its findings will make it possible to assess the situation and prescribe actions.

In the clothing industry there have been failures to observe the laws regarding hours and wages. Subtle forms of pressure have been exerted such as the intensification of work during the day and a recent increase in short-term hiring. Pregnant women are often dismissed. The monitoring of the time employed in each operation becomes an instrument of control used to prevent women from obtaining the rest to which they are entitled. There have been cases of failure to pay for overtime and holidays and the use of short-term contracts for as little as 8 days. Protests are met with dismissals in a market where it is easy to find new people ready to work.

In the flower-growing industry there is evidence of health problems for women workers caused by failure to take the necessary precautions. Here,

where more than half the workers are women, there are three health risks according to the latest information available (ASOCOLFLORES 1992). The first and most important risk is that of poisoning by the chemicals used in enclosed spaces to combat the diseases which affect the plants. Many of the risks can be minimized by the adoption of precautions which the women often fail to take. These precautions include changes of clothing, frequent examinations and the avoidance of food and drink in the work place. The second risk is that women must remain for long periods in positions which result in back injuries. There is also a strong risk of incurring respiratory diseases because of the problem and rapid changes of temperature. Although there have been improvements in security and hygiene and also in social protection, continued vigilance is needed by the authorities, which is not always given.

Trade union membership and collective bargaining are difficult to illustrate with figures but it is clear to anyone who knows the labour situation that women workers are highly vulnerable. The scope of the trade union movement in Colombia is generally very limited. There is evidence that it has declined during the 1980s. Total membership, which attained 12.5 per cent of workers in 1974 and 12.3 per cent in 1980, only reached 9.3 per cent in 1984. Since the rates are lower in the sectors where women predominate, it may be inferred that, except in public services like health and education, the rates of female union membership are also lower.

Clearly, too, women are more prepared to accept less favourable conditions of work through ignorance of the provisions of labour law.

Unemployment: a female problem

Although the labour market has been adapting to the remarkable increase in the female labour force, the incorporation of women into the labour market has also been reflected in greater unemployment. In Colombia, female unemployment has been consistently higher than that of men. The proportion of women in the total number of unemployed is 52.2 per cent as opposed to 39.7 per cent for men.

The problem has been getting worse because of the incompatibility between the rapid rate of women's incorporation in the labour force and the rate at which jobs are becoming available. In 1976 the rates of female unemployment were 20 per cent higher than male rates but in 1991 the difference had reached 77 per cent. Between 1984 and 1989 the ratio between female and male unemployment rose from 1.5 to 1.8. The difference is maintained among young workers between 12 and 29, where unemployment for women is 1.65 times higher than for men.

A feature which still persists is the failure of education to play any role in female recruitment: this is not only reflected in wages but also in the fact that, whatever the educational level, unemployment affects women more than men.

Women heads of households

The use of the concept, "head of household", is fraught with difficulty. Originally used in censuses, it is taken as an indicator of relationships within the household and becomes an instrument of social policy. In this context, the concept may be questioned because it gives an unreal picture of the economic operation and the adoption of decisions in the household, particularly when, for cultural reasons, men are normally identified as heads of households, without regard for the role of women in the running of the home. Existing statistics would appear to underestimate the real number of households headed by women. They fail to include a significant number of situations where women are in fact responsible for managing the home and taking the decisions. For example, statistics show that, when the man is permanently absent, the woman automatically becomes the head of the family. However, there is the cultural supposition that, if any men are present, they are the heads of the household. Hence, the concept excludes those special cases of de facto female leadership, where the husband or companion is present but makes no contribution to the economic management of the home.

The incidence of poverty among households headed by women is less globally and for each type of property. In the cities, the differences in poverty between male-run and female-run homes is small. This is attributable to various factors. Women heads of households are usually widows. They are older than male heads, have smaller households and fewer children.

The differences are substantial when there are children of five or less. In this case, in the cities, the incidence of poverty is greater in female-headed households (72.5 per cent) than in male-headed ones (56.8 per cent). The type of poverty which gives rise to the sharpest differences is poverty solely of income. This may reflect a more general problem of income inequality and not just a special problem of women heads of households.

The differences between the educational level of heads of households are unfavourable to women. For them the effective possibilities of survival are fewer. Low levels of education probably explain why women heads of households have fewer jobs than men (54.8 per cent as opposed to 90.5 per cent) and are more often unemployed (6.5 per cent as opposed to 5.4 per cent). The smallest

proportion of employed heads of households is to be found among poor women (51.9 per cent).

Among the poor households of the major cities there is a high concentration of women heads in personal, commercial and operational services. These three groups comprise about 90 per cent of women heads of poor households. The personal services group is the largest: it employs about 50 per cent of the employed heads of household. On the contrary, the male heads of households are mostly employed in operational services, which give them greater chances of survival than their female counterparts.

Constitutional and legislative measures to guarantee equality of opportunities to working women

National Constitution of 1991

Article 25 of the Constitution states that everyone has the right to work in dignified and just conditions.

Article 40 states that the authorities guarantee the appropriate and effective participation of women at all decision-making levels of the public administration.

Article 48 guarantees that all inhabitants have an irrevocable right to social security.

Article 53 provides that Congress will approve the labour statute, guaranteeing *inter alia* equality of opportunity for workers and special protection to women and mothers.

Legislative measures for domestic workers

Law 11 of 1988 lays down a special social security scheme for domestic workers who earn less than the legal minimum wage. On the basis of that remuneration, they can contribute to social security and obtain all the benefits. The contribution may not be less than 50 per cent of the minimum wage.

Regulation 824 of 1988 establishes those who are deemed to be domestic workers and divides them into live-in and day workers.

The social security affiliation of female domestics is compulsory. An express application must be made by the employer or group acting as

intermediary with the Social Security Institute. Such groups must be legally constituted and registered with the Social Security Institute in order to affiliate the domestic workers they represent.

Legislative measures for women heads of households

The final paragraph of article 43 of the 1991 Constitution proclaims that the State shall give special support to women heads of households.

The bill now being drafted defines a woman head of household as follows: a woman who, being unmarried or married, has under her charge, economically and socially, on a permanent basis, her own children or those of others, who are incapable of working.

Women heads of family and community mothers are granted a series of benefits to alleviate their situation. These include the integral benefits of social security and preferential access to education, employment, credit systems, small businesses and subsidized or low-cost housing.

In the political field it is expected that women will have equal participation in official decision-making bodies responsible for programmes related to women heads of households.

The National Department of Cooperatives is to implement a special plan to promote the constitution of mutual societies among women heads of households. The aim is to meet the unsatisfied basic needs of the nuclear families headed by these women.

Legislative measures concerning maternity leave

The labour reform of 1990 (Law 50) extended maternity leave from 8 to 12 weeks with pay.

The Government, in supporting this measure, pointed out that it was a recommendation contained in ILO Convention No. 3, valid since 1919. Colombia had failed to implement this convention for 72 years but now, with the labour reform, it was promulgated for the benefit of women and new-born children.

Article 34 of Law 50 of 1990 lays down that "Any female worker who is pregnant is entitled to leave of 12 weeks at the time of birth, with the wages paid to her at the beginning of such leave". The second paragraph deals with the question of remuneration when the female worker does not have a field wage. The third paragraph states that a medical certificate for pregnancy is required. Female workers entitled to maternity leave may "cede" one week of

it to their husbands or companions so that they may accompany them at the time of birth and afterwards. The fourth paragraph grants extensive benefits to mothers adopting minors under 7 years of age from the time of the official handing over of the child for adoption.

Men who adopt children and who do not have a wife or permanent companion are also entitled to 12 weeks leave.

Article 35 of Law 50 of 1990 prohibits the dismissal of a female worker for reasons of pregnancy or lactation:

> "1. No female worker may be dismissed for reasons of pregnancy or lactation.
>
> 2. It is presumed that a woman has been dismissed for reasons of pregnancy or lactation when the dismissal takes place within the period of pregnancy or within three months following the birth, and without the authorization of the Ministry of Labour".

The law also lays down the penalties for employers who dismiss pregnant women:

> "A female worker dismissed without authorization is entitled to the payment of an indemnity equivalent to 60 days pay, apart from the benefits to which she is entitled in her labour contract and also to the 12 weeks of paid leave, if she has not taken it"..

Article 701 of the Substantive Labour Code contains regulation for employers of female labour. For example, clothing must be comfortable, appropriate and attractive. Special measures must be taken to protect hair. Shoes must be comfortable and high heels avoided. Health facilities must be provided to avoid fatigue and tensions.

Articles 699 and 700 lay down prohibitions to protect pregnant women: for night work longer than 5 hours; for work that involves heavy lifting; for work involving continuous movement; and for work with heavy or dangerous machinery.

Article 703 states that enterprises with more than 50 women must appoint a woman's consultant or social assistant.

Article 705 states that enterprises employing women must give them regular training in the prevention of accidents, occupational diseases and hygiene.

Article 706 requires enterprises employing women to include on the Hygiene and Security Committee female staff proportionate to the number of women employed.

Article 704 establishes equality for women and men as regards occupational health: "Enterprises are required to provide women and men with the same opportunities. Conditions of security, health and hygiene must be the same."

The Occupational Health Division of the Ministry of Labour and Social Security is responsible for enforcing the provisions of this Code. Enterprises and employers are required every six months to show that they are complying with their obligations.

The Occupational Health Division is empowered to impose penalties for infractions of the Code, under article 41 of Decree 2351 of 1965, and to adopt the measures it considers necessary.

The Ministry of Health expects to increase the health coverage of all workers in accordance with their real needs and to give special attention to the most vulnerable groups and the non-formal sector.

Recently, under resolution 001531 of 6 March 1992, the Ministry of Health recognized expressly that "women are entitled to conditions of work and living conditions that do not effect their fertility or health". Under the same resolution, the Ministry decided to disseminate these rights among the bodies which provide health care and to all the institutions in the health sector. These institutions are required "to promote, among patients and communities, the knowledge and application of women's health rights."

Article 12. Health

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation."

Certain indicators of women's health such as the total rate of fertility and life expectancy have improved. Fertility in 1990 was 2.90 children per woman and life expectancy was 72 years. However, there are sharp differences according to educational level and geographical region and in some cases the fertility rate is 4.5 children per woman.

Main causes of female mortality

(a) General mortality

Historically, women have had lower rates of general mortality. For the period 1986-1989 the gross rate of female mortality was 4.8 per 1,000, whereas for men it was 5.6 per 1,000. However, women become sick more often and require greater attention from the health services. There have been substantial variations in the causes of female mortality: infectious diseases, enteritis and other diarrheal illnesses that occupied first place in 1975, fell to fifth place in 1981 and tenth place in 1988. Such immuno-preventable diseases have very low rates and some have been eliminated.

The largest place is occupied by non-infectious chronic disease: heart and cerebro-vascular illness, for example. Cancer is more and more frequent and comes before diseases of the stomach, lungs, womb, ovaries and breasts. These illnesses require greater care among the over-40 age group and more effective promotion and prevention. Cancer of the uterus occupies seventh and sixth place, respectively, as the cause of death for age groups 15-44 and 45-59. This situation is due mainly to inadequate prevention, lack of instruction, difficult access to detection technologies and early treatment rather than to the lethal nature of this disease.

(b) Maternal mortality

In the last 15 years this indicator has changed very little. In 1977 there were 192 deaths for every 100,000 live births; in 1981 there were 117 and in 1990 there were 110. The situation is more disquieting if we consider the under-registration and the lack of representativity of the studies made so far. According to existing calculations, the 1991 figure is 200 deaths per 100,000 live births, which coincides with the high fertility that persists among vulnerable groups and the population at risk. The causes of death do not change very much and are preventable as may be seen from the following table:

Causes of maternal mortality

Causes	1990		1991	
In order of frequency	No.	%	No.	%
1. Direct obstetrical problems	169	31.24	188	36.65
2. Toxemia	154	28.47	127	24.76
3. Other abortions	92	17.01	77	15.00
4. Hemorrhage	34	6.28	37	7.20
5. Complications	57	10.54	35	6.80
6. Spontaneous abortions	6	1.11	3	0.50
7. Legal abortions			1	0.10
8. Illegal abortions	10	1.95	15	2.90
9. Infectious	6	1.11	6	1.11
10. Indirect obstetrical problems	9	1.66	7	1.30
11. Obstructed births	4	0.62	4	0.77
TOTAL	541	100	516	100

Morbidity

Women have the highest rates of sickness from all causes: 44 per cent for women and 38 per cent for men, according to the National Health Study (1977-1981). In other words, women are the population group which needs the greatest health care.

From the viewpoint of hospital stays, the five main causes of death are related to reproduction and its complications. Other important causes are infectious diseases, trauma and violence, and chronic illnesses. Skin diseases, respiratory infections, genital diseases, enteritis and diarrheic problems, lacerations, wounds and trauma are the main reasons for medical consultations.

Health problems requiring special attention

(a) Prevalence of abortion

Although there are no reliable figures on abortion, given its illegal character and consequent penalization, some partial data tend to show an increase in recent years. For 1993, it is estimated that there were 450,000 abortions in Colombia.

In spite of under-registration, the available data show that abortion is near the first place in maternal mortality:

- Between 1980 and 1990 it was the second cause of death (23 per cent).

- Between 1986 and 1990 it was the third cause of hospitalization.

- In 1991 77,673 cases were registered; it was the fourth cause of death among the 15-19 age-group and the fifth for the 20-24 age group.

(b) Impact of violence on mortality

Of the total female population, violent deaths as a result of homicide and intentional wounds occupy eleventh place; for the 15-44 age-group it is the first cause of death, for the 5-14 group the sixth. Unregistered are the numerous cases of wounds resulting from intra-family violence, which women suffer and do not report. This situation reveals the deterioration of social conditions, the vulnerability of the 15-44 group and the lack of protection machinery. It is very disquieting that the health institutions, in spite of their impact, do not have any means of registering these attacks or any programmes, public or private, to cope with them.

(c) Sexually transmitted diseases and AIDS

According to information from the Ministry of Health, sexually transmitted diseases were the main reason for medical consultations between 1986 and 1990 for the 15-44 group and the third reason for all the other groups. According to hospital statistics, it was the seventh cause of death. Although there is no real grasp of the problem, since these data are only the official ones, certain clinical studies show that there has been an increase in AIDS, especially among young people and at increasingly early ages.

The increase in AIDS among women is a fact throughout the world. Colombia is no exception, where, as elsewhere, women are more vulnerable for biological and social reasons. At the Ministry of Health and in some private institutions there is an awareness of this vulnerability and action programmes and educational messages have been directed towards women, but these measures are still inadequate and must be amplified.

The following figures barely give an indication of the size of the problem: in 1991, there were 272 deaths from AIDS, 236 men and 36 women. In 1992, there were 2,744 male cases and 212 women; in April 1993 there were 2,855 cases of HIV and 3,304 cases of AIDS.

(d) Early pregnancy

This problem is on the increase and has serious social and individual consequences. In the 15-19 age-group 20.9 per cent have already started sexual relations. A high percentage of these have begun under the age of 15. This group is at high risk of pregnancy: 63.1 per cent (15-19 years) use no method of family planning.

In 1990, 10 per cent of the 15-19 group were already mothers. Of these, 62 per cent had no formal education; 16 per cent had primary education and only 5 per cent secondary education. In other words, the lower the educational level, the earlier the pregnancy, especially among the poorest groups.

In Colombia, there is no female circumcision.

Prevalence of and access to family planning

In 1990 the knowledge of family planning methods was almost universal: 87 per cent of women of fertile age report that they are aware of them. This does not necessarily imply that they are being properly used. Their use is more frequent among women in a stable union (54 per cent married and 50 per cent in free unions).

In the last two decades, contraception has increased notably. Between 1976 and 1990 this increase was 28 per cent; modern methods have increased by 47 per cent and traditional methods have decreased by 22 per cent. General use is reckoned at 66 per cent for women in a stable union. The most common method is female sterilization (20.9 per cent), followed by the pill (14.1 per cent) and the intra-uterine device (12.4 per cent). Traditional methods are still followed by 11 per cent.

The public sector is the main supplier of the IUD (about 39 per cent) and the private sector is responsible for female and male sterilization (60 and 70 per cent, respectively). The other methods are acquired from the market (drug-store) with or without medical prescriptions (more than 70 per cent).

Family planning coverage by health institutions

In the State sector coverage is very low: 19.7 per cent of the population. The private sector covers 43 per cent and social security 5.7 per cent. The remainder is covered by non-specified sources. The problems of access to family planning methods are geographical and economic, and depend on the availability of supplies. As a result, the situation is more difficult for poor people.

This low coverage by the official sector results from the fact that population policies have not received sufficient backing from governments. The programmes developed have had more support from international bodies than from national policy-makers. Furthermore, no provision has been made in national budgets for such programmes. It is only recently that the Ministry of Health has been given funds for this purpose and these do not cover the needs of the population.

In recent years efforts have been made within the Ministry of Health to improve this programme through training, education and advice to users. Family planning councils have been set up, the supply of reliable methods has been increased and centres for voluntary surgery have been built. The Government is seeking to improve the coordination machinery between public and private bodies both at the national and local level.

Health coverage before and during birth

Coverage of pre-natal care for the official and mixed subsectors was 78.2 per cent. On the average there were 2.1 consultations for each woman. Women who seek prenatal care are those with the highest educational levels, who live in the cities. No prenatal care at all is received by 21.8 per cent of pregnant women and these are the population group at the highest risk. Anti-tetanus shots reached a total of 60 per cent in the endemic zones in 1991, about 50 per cent for the whole country.

Coverage of birth care in the official and mixed subsectors was as follows: in 1988 71 per cent; in 1990 76 per cent; in 1991 77 per cent. Of the births attended in 1991, 433,042 were normal, 8,999 induced and 65,430 Caesarean.

Although this coverage is relatively high, it is concentrated in certain areas of the country; a large percentage of the poor population is dispersed and has no access to prenatal services.

However, the main problem with coverage is that of quality, especially as regards the integral and humanized treatment of women and the disregard of women as social individuals from a particular culture. Different studies designed to evaluate women's satisfaction with the health services agree that the main complaints are: inadequate hours of service, long waiting periods, delays in clinical diagnoses, physical and verbal abuse during examinations, lack of privacy and difficulties of communication.

In addition to the above problems and the indicators mentioned, it should be pointed out that:

(a) Historically, women's health care has been concerned with her reproductive functions, pregnancy, birth and post-partum.

(b) As a result, little attention has been paid to their other problems: ill-treatment, violence, sexuality, mental health, aging, occupational health etc. On these problems data and programmes are lacking, although they are included in conventional indicators.

(c) Nor has sufficient attention been paid to the female life cycle: child, adolescent, adult and advanced age.

(d) Most of the health programmes, especially primary care, treat women as domestic and community agents without considering their real needs.

(e) Programmes in general do not consider the specific needs of women and lack humanity, which limits their usefulness.

Measures to eliminate discrimination in medical care and to guarantee satisfactory services

With the aim of reducing discrimination against women in medical care, general and specific measures have been adopted. The general measures are related to the Constitution, the legal development of the country and the policies of the State; the specific measures are related to sectoral policies, standards and programmes.

Constitutional framework

The Constitution of 1991 lays down that health care is a "public service of the State" which includes the promotion of health, basic sanitation and the participation of the community, as essential aspects of the provision of health services.

As regards women and the family, the Constitution proclaims the right of couples to decide freely and responsibly on the number of children (article 42); the obligation of the State to protect women during pregnancy and birth, to grant food subsidies to unemployed women, and especially to women heads of families (article 43); free medical care to minors of one year or less who are not covered by any type of social security (article 50); and protection for the aged and disabled in the field of social security and food subsidies (article 46).

While these principles advance the cause of personal rights, their applicability depends on subsequent legal developments, where progress has been slow. Advances have been concerned with the regulation of social security and the transfer of responsibilities and resources to local bodies to ensure the decentralization of the health system.

Legal aspects of health

The labour legislation in the field of health, enshrined in Law 50 of 1990, has already been mentioned in article 11 on the protection of mothers.

Resolution 02400, of 22 May 1979, prohibits inter alia:

(a) The employment of minors (18 years and under) and women of any age in activities which bring them into contact with substances that are toxic, radioactive and, in general, dangerous for health;

(b) Night shifts of more than 5 hours for pregnant women;

(c) The employment of pregnant women of any age in dangerous work and work requiring heavy physical labour.

These measures, although compulsory, have not taken root because they are insufficiently known both generally and at the economic and entrepreneurial levels. As a result, employers try to avoid them and women continue to be discriminated against in access to employment and remuneration. In small enterprises, especially, mothers are not given time off for nursing and proof of pregnancy is required in job recruitment.

National policies

Colombian youth policy

The Government, through the Presidential Council for Youth, Women and the Family and as part of its strategy for human development and for the integral development of young people, is seeking to implement a national sexual education plan.

The plan is designed to combat the increase in sexual problems (rise in abortions, youth pregnancy, risk of sexually transmitted diseases and AIDS). The aims are to stress prevention, to uphold the individual, the family and the community, and to inculcate the positive value of sexuality, the social equality of the sexes and sexual responsibility.

This plan was approved by the National Economic and Social Policy Council on 23 November 1992.

Integral policy for Colombian women

The Government, through the Presidential Council for Youth, Women and the Family, is seeking to guarantee the integral and equitable development of Colombian women. Within its strategies for human development and with the support of the Ministry of Health, it is planning to implement a women's health policy, with the help of methodologies put forward by the non-governmental organizations and the universities for the specific promotion of women's health.

Although it is too early to speak of obstacles to these policies, it is possible to identify some of the factors limiting their implementation. There is the difficulty of coordination between State institutions, for example, and although progress is being made it is not easy to assimilate special policies for women within the regular programmes of these institutions.

The focus on women has not yet been accepted by all State sectors and numerous and strenuous efforts will be required to establish women's policies within the planning, programming and resource-providing bodies.

Sector policy: "Health for women, women for health"

The Ministry of Health is aware of the vital role of women as users and providers of health care. It realizes the lack of response to their needs and of a comprehensive focus on women. It also understands the many causes underlying the health-disease cycle and of their impact on women's conditions of life. In light of these factors, it has formulated the policy: "Health for women, women for health".

This policy comprises the following aims:

(a) To raise the quality of life of women;

(b) To reduce the inequalities between men and women by increasing coverage, improving quality, offering new services and programmes (anti-violence, mental health, occupational health) and restructuring existing services;

(c) To strengthen the participation of women in this sector and their share in decision-making, the solution of their problems and other questions, promoting autonomy and self-care as regards their bodies, their sexuality and their health.

The development of this policy has pursued two lines:

At the national level: Dissemination of the proposal in governmental and non-governmental health sectors and among academics, politicians and women's organizations.

Within the health sector: the approach has been two-fold:

(a) Within the Ministry of Health - towards articulation and coordination with the departments and programmes for the incorporation of this policy in regular activities. So far partial results have been achieved and coordination has resulted in specific action programmes on reproductive health, AIDS and community participation. Educational materials on female health, such as radio announcements, posters and manuals, have been prepared.

(b) Within the territorial units: towards the institutionalization of the policy in local health departments. In nine of the major cities action has begun to train officials, to establish local women's clinics and to reorganize programmes aimed at improving the quality of women's health care.

The Ministry of Health adopted resolution 1531 of 1992, celebrating International Women's Day and proclaiming the health rights of women and the responsibility of the sectoral institutions to disseminate them and apply them.

Among the limitations of this policy is the low priority that it has within the Ministry of Health. It lacks an adequate central structure of human and financial resources which will allow it to advance rapidly. The changes implicit in its implementation are limited by lack of support from the top levels.

Institutional programmes

Presidential Council for Youth, Women and the Family

Within the health sector, the Presidential Council is implementing the following projects:

(a) Women's health: improvement of quality in health services in five cities; access to specialized services and social security for women working in the informal sector; and education and prevention of occupational health problems in the informal sector. The National Institute of Cancerology is helping in the development of promotional and preventive action for the avoidance of cervical cancer.

(b) Sexual and health education for adolescents: integral health care for adolescents in 7 cities; hostels for pregnant girls; workshops on sexual education for young people, teachers, fathers, health officials and educationists in 7 cities.

The obstacles confronting these programmes are related to the process of institutional modernization and administrative tradition. The capacity for execution is impeded by legal definition of the new provisions and by the incipient process of State reorganization. The "demonstrative" nature of the projects (implying limited coverage) has prevented them from responding to the magnitude of the problems. While energetic steps are being taken by the Council to apply new and ambitious strategies, these are often held back by criticisms and scepticism within the community.

Integral care of women

As part of the policy for the integral care of women, actions are being taken to restructure women's programmes and to organize medical care for

victims of violence and in areas of mental and occupational health. However, as with most of these measures, it is not yet possible to speak of results and impact. Within the area of reproductive health, the Ministry of Health is coordinating programmes for the prevention and control of maternal and perinatal morbidity and mortality, maternal lactation, family planning, immunization, nutritional care and oral health of pregnant women.

Decentralization is one of the important means of improving the health of the population and will also provide substantial benefits for women.

The general aim is to develop health services that are more efficient and closer to the citizens, in a context of greater autonomy and power of decision, with modern systems of management, with greater resources and with more room for community participation.

These measures are just beginning to take effect. They require commitment and political will by all the parties concerned. The community must be prepared so that its participation is more effective. Programmes and plans must be coordinated and tailored to local needs. Women must be given a special place since they have much to contribute.

Programme for the control and detection of cervical cancer

This programme is being developed with the advice of the National Institute of Cancerology. Its promotional, educational and medical activities have national coverage.

Community households: family, women and children

This programme is coordinated by the Colombian Family Welfare Institute and deals specifically with mothers from the poorer sectors. It covers such matters as: nutritional improvement, reduction and control of diseases of mothers and children, child-raising support and strengthening of the links between mother, father and child. In 1992 the programme included 107,889 children and 123,714 mothers; for 1994, it is hoped to cover 280,856 women and 245,166 children under 2.

National programme of action in favour of infants

This is a programme coordinated by the Office of the First Lady. It comprises the different programmes aimed at infants and mothers in the areas of health, nutrition, education, special protection and basic sanitation. The programme is designed to meet the international commitments acquired at the Children's Summit Meeting held in New York in September 1990.

The object of the programme is to reach the high-risk population consisting of women and mothers in the poorer sectors.

In coordination with the Ministry of Health, the aims of the programme in 1994 are:

- To reduce maternal mortality by 77 per cent;
- To cover 50 per cent of pregnant women during the first 3 months of pregnancy;
- To reach prenatal coverage of 50 per cent;
- To reduce adolescent pregnancies by 5 per cent.

In the area of nutrition, it is proposed in 1994 to reduce the levels of anemia among nursing mothers (280,856) and to eliminate the lack of vitamin A among mothers in the poor sectors.

Article 13. Social and economic benefits

Legislative and other measures to guarantee equality of access to economic and social benefits

"States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life."

Under the constitutional principles of equality between men and women, there are no legal limitations on women obtaining credits and social benefits.

In chapter 2 of Title II, the Constitution establishes social, cultural and economic rights in favour of all persons, without any kind of discrimination.

At the moment, Congress has before it a bill on social security. It proposes a subsidy for affiliates who are unable to pay. It gives priority to pregnant women, nursing mothers and women heads of family.

Policies and programmes to ensure equality

In the "Social policy for young people and women" approved by the National Economic and Social Policy Council, the Government has laid down integral women-oriented programmes. They are accompanied by modern machinery for their inclusion within the processes of economic development in both the urban and rural areas.

This document proclaims that State policy must be aimed at the modification of the cultural aspects that traditionally have resulted in discrimination and inequality between the sexes. The aim is to improve the living conditions of women by incorporating within the State and the institutions an attitude which considers women as a basic factor of development. Services and programmes must be centred on rural women and women in marginal towns.

In agreement with a national list of projects carried out by the National Planning Department in 1989, 437 women's projects were identified in the following categories:

Projects by main activity

Category	Percentage
Economic	54.0
Training	16.0
Organization	7.3
Health	5.5
Research	3.2
Legal advice	1.1
Welfare	2.0
Nutrition	1.6
Culture	0.7
Other	2.7

Source: National Inventory of Women's Projects, UNDP-UNICEF, 1989, Bogota, Colombia.

Projects with most coverage are those of dissemination and those with less coverage are economic.

Projects by coordinating body

Type of organization	Number of projects
Governmental organizations	231
Non-governmental organizations	101
Women's organizations	62
Religious organizations	15
Other	28

Source: National Inventory of Women's Projects, UNDP-UNICEF, 1989, Bogota, Colombia.

In this inventory the urban projects are financed by non-governmental organizations since, up to 1989, the State policy for women has been directed mainly towards the rural sector.

Since 1991 the National Administrative Department of Cooperatives has been developing programmes specifically for the benefit of women.

Cooperative organization and technical entrepreneurial assistance

This project is designed to help women engaged in small-scale fishing. It is concerned with the capture, marketing and sales of fish by women who are married to or in union with small-scale fishermen.

Establishment of a marketing centre

This project is aimed at grouping together artesan activities in Colombia. The cooperatives consist mainly of women who are engaged in artesan production of basket-work, hats, hammocks etc. The main problem is the existence of large numbers of intermediaries who make the products dearer.

This project covers some 200 women, grouped in 10 cooperatives in 5 departments.

Cooperative entrepreneurial organization

This project is designed to organize cooperatives and give business advice to women who have become widows as a result of violence.

On the other hand, the Council for Human Rights has identified, for this project, an initial group of 300 women, located mainly in the departments of Santander, Antioquia and Córdoba.

The Council for Youth, Women and the Family is developing two programmes aimed at improving the status of women.

(a) Programme for women heads of households

The programme consist so fan integral package of services to support women heads of family, located in the poorest strata of urban areas, with the aim of improving their living conditions and those of their families.

(b) Technological development for women in charge of small businesses

This programme is seeking to promote within the National Plan for the Development of Small Businesses, a strategy for the technological and commercial advancement of business-women.

Obstacles

The economic programmes financed by the State do not have sufficient structure and scope to relieve women of their domestic duties. Nor are their coverage, resources and uncompetitive products able to constitute sufficient capital to give women access to credit in a rational way. Women must resort to various organizations to finance their needs such as cooperatives, savings and loan associations and banks.

Women are held back not only by existing socio-cultural patterns but also by labour conditions, which are inequitable, especially if they have no union affiliation.

Women who work in the informal sector lack labour benefits and must procure them with their own resources.

Moreover, the burden of a double working day restricts women from access to recreational and cultural activities.

As regards subsidies for children and housing, and access to social security, only women with union affiliation are eligible. For women without such affiliation, they are non-existent, unless they can obtain them through the affiliation of their husbands or companions.

Article 14. Rural women

"1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate healthcare facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment

in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications."

According to the National Survey of Rural Households of 1988, out of a total population in the rural category, 73.2 per cent were economically active: 50.1 per cent men and 49.9 per cent women. However, this equality was not reflected in the breakdown of the active population. Out of a total of 5,183,180 workers 73.7 per cent were men and 26.3 per cent were women.

Of the total number of rural workers 59.9 per cent were in agriculture, followed by 17 per cent in non-agricultural manual work, 9.5 per cent in commerce, 8.6 per cent in services, and on a small scale, in professional and technical work, administration etc. This situation reflects a high diversity of employment outside agriculture and a growing fragmentation of the rural population in small localities.

The breakdown of the rural working population by branch of activity reveals a clear difference between the sexes in that there are more women in paid work outside of agriculture. Only 27.2 per cent of women obtain their income from agricultural work; the figure for men is 70.8 per cent. Women are employed in greater numbers in services (25.2 per cent as opposed to 3 per cent for men), non-agricultural manual work (18.7 per cent as opposed to 16.5 per cent), administrative work (4.2 per cent as opposed to 1.4 per cent) and professional work (6.1 per cent as opposed to 1.7 per cent). These indicators show that rural women make an important contribution to the diversification of activities in the sector, having substantially increased their employment in commerce and personal services, which now occupy half of rural jobs.

The occupational breakdown of the rural active population is as follows: day-workers (32.9 per cent), independent workers (32.9 per cent), unpaid family workers (14.7 per cent) and employed workers (11.6 per cent). Among women the most representative category is that of independent workers (36.5 per cent as opposed to 31.8 per cent for men), followed by employed women (17.8 per cent as opposed to 9.4 per cent), domestic service (10.1 per cent as opposed to 0.1 per cent) and unpaid family work (22.6 per cent as opposed to 12.1 per cent).

Although women work more and more on the land and engage in other productive activities outside the home, their labour is not rewarded economically. In 1988 about 57.8 per cent of employed women earned less than

the minimum wage, as compared with 31 per cent of men. Female wages are consistently lower even in activities where women are in the majority.

According to traditional statistics, the working day for women is under 40 hours a week. However, this figure does not take into account the domestic labour of women which considerably extends their working day. Studies show that rural women work for 12-16 hours every day.

In spite of the differences which are occurring in the make-up of families, one aspect has not changed: the social division of domestic labour. Maternity and child-raising mean that women must make intensive use of their time. Women, including members of the labour force, and regardless of their socio-economic position, must work a double day: paid work and domestic work. As a result, women have to make intensive use of their time and work a greater number of hours per week.

Moreover, the double working day is much more exhausting for women with low incomes, who continue to bear children, who live in primitive housing and who are engaged in heavy domestic tasks.

Of persons engaged in secondary productive activities 78.2 per cent are women. Women engaged in commerce, mining, industry, construction and services are fewer. The income from these secondary activities is used for consumption in the home (39.9 per cent) or for consumption and sale (43.1 per cent). Only 13.7 per cent is used exclusively for sales. These figures bring out the importance of "secondary" work by women as an income supplement that guarantees the survival of productive units.

In the segment of the population characterized as inactive, there are more women (71.3 per cent as opposed to 20.3 per cent for men). Most of these women (72.0 per cent) are concerned with household duties. In other words, besides taking on work outside the home and on the land, women still remain tied to reproductive and domestic functions.

Considering the definition of heads of households used in the rural survey, in the period 1988-1991, the number of women in this position increased from 17.7 per cent to 19.9 per cent.

However, if we consider female leadership based on income, we find that 16.59 per cent of households depend totally on the earnings of a woman, while 6.02 per cent depend on the joint earnings of a man and woman together. To sum up, in the rural sector, in 22.6 per cent of the homes, women make an important economic contribution.

Life expectancy of rural women increased by 3.5 years between 1973 and 1985 and the present projection is for a life span of 71 years.

The birth rate is 27 births per 1,000 rural inhabitants and the general rate of fertility is 136 births per 1,000 among women of reproductive age.

The decline in fertility in the rural areas has been attributed to the greater participation of women in the labour force and the wider acceptance of family planning programmes. The decisive factor has been the use of contraceptives. Between 1969 and 1990 the use of contraceptives by married women or women in unions rose from 10 to 60 per cent. The favourite methods were female sterilization (21 per cent), the pill (13 per cent) and the intra-uterine device (8 per cent).

The total schooling index for the rural areas was 4.38 per cent in 1991. The female rural population (above the age of 5) received on the average in 1990 3.2 years of education, compared with 5.8 per cent in the urban areas.

Among rural women, 13.9 per cent are without education (6.3 per cent for urban women); 40.2 per cent have some primary schooling (60 per cent for urban women); 12.9 per cent have some secondary schooling (35 per cent for urban women); and 0.5 per cent have received higher education (7.5 per cent for urban women).

Access to resources

Only with the adoption of Law 30 of 1988 were women allowed to own land independently. The Colombian Land Reform Institute registered at the end of 1988 2,573 owners with 20.102 hectares at the national level. In 1991 women were included with equal rights to bid for and to own plots of land. In addition, they were awarded 10 points as rural heads of households, as being without land and as victims of violence. In adjudications of land by the Selection Committee women were included and given third priority. Land titles awarded to husbands were shared by wives as was responsibility for minor children. Nevertheless, in spite of these measures, only 11 per cent of the land beneficiaries were women and only 30 per cent of women owned their own plots.

Rural women have limited access to credit because they lacked property titles and lease contracts which were required as guarantees.

In a recent study of women's productive units, which covered about 40 per cent of land owners, only 26.4 per cent had access to credit.

The latest statistics show that of the total credits approved by the Agrarian Fund, 18.1 per cent went to women but they represented only 5.5 per cent of the funds assigned.

In another study by the Integrated Rural Development Fund it was found that women's associations did not receive sufficient income because they lacked access to technical assistance and entrepreneurial training. Of such associations 72.2 per cent stated that they had not received this type of assistance. As for technical training, 36.5 per cent of the women's groups had not received any.

In general, training is not geared to women's needs and is not appropriate methodologically for women's apprenticeships.

As a result of the rural women's policy adopted in 1984, the rural authorities promoted the establishment and consolidation of women's groups in order to generate more income. According to an inventory of productive projects made in 1990, there were 875 women's groups supported by the Integrated Rural Development Fund and the Colombian Land Reform Institute. These groups comprised about 10,000 women engaged in productive activities generating cash or kind, although very few of the women received the equivalent of the rural minimum wage.

According to indicators of poverty through unsatisfied basic needs, in the rural sector 35.7 per cent of the households are at the critical level. Of these 15.2 per cent are headed by women.

Of the total number of farm units in Colombia only 23.9 per cent have running water, 58 per cent serviceable roads, 38 per cent electricity, 79.5 per cent access to schools and 4.5 per cent access to health services.

A total of 34.5 per cent of women benefited from housing credits and improvement services and received the equivalent of 34.4 per cent of the value of these services.

According to statistics provided by the Agrarian Fund, 29.7 per cent of the recipients of drinking water supplies, sewage facilities and sanitary installations were women heads of households, who obtained 40 per cent of the resources assigned.

Organization of rural women and their participation in decision-making bodies

In Colombia there are 13 national organizations at the secondary level (confederations of cooperatives, trade unions, rural groups) which generally

have a clear link of dependency on the State, without any clear definition of this relationship. The processes of cooperation are not delimited in all cases and relations with the State are formal rather than aimed at practical measures of development. In most of these organizations there is a body concerned with rural women but in some cases their problems are dealt with only marginally. Although female representation is still weak, awareness and training programmes have been launched, opening up new opportunities for women.

Women representatives in these organizations are working together with State entities in putting forward proposals which have not always been accepted by State officials.

The only national rural women's organization is the National Association of Rural and Indigenous Women of Colombia. It was sponsored by the Government as part of its Policy for Rural Women of 1984. It is a pluralist organization made up of women who, to a large extent, belong to other agrarian organizations and to different political parties.

According to estimates, it has 18,000 affiliates and 20 departmental associations. Nevertheless, the links between the top level and the rank and file are very weak; the leaders have little knowledge of the characteristics and needs of their affiliates.

At the municipal level, there are some women's organizations that are independent from those at the national level. These local organizations have a closer relationship with their members and a clearer idea of women's needs and demands. But in them few women have reached decision-making levels.

Obstacles

The policy approved in 1984 sought to improve the status of rural women by facilitating their access to land, credit, technical assistance, training and organization. However, the bodies responsible for the execution of this policy have not yet put into practice any plans or programmes. An office for rural women has been set up within the Ministry of Agriculture but it is still redefining its policies and institutional arrangements.

Although the rural authorities have adopted an integral approach to women and have refined methodologies for group promotion, the benefits have not been reflected in substantial economic advances.

The difficulties arising from the structural problems of the rural sector and from the institutional weaknesses at the State level have meant that projects have little coverage or impact.

Technical assistance and entrepreneurial training also fail to reach a broad coverage and are not tailored to women's needs.

The participation of rural women in the allocation of land and credit is still encountering obstacles in the form of the requirements laid down for such participation.

The depressed conditions of the rural areas in terms of physical infrastructure and social services have a strong impact on women. They affect not only women's quality of life but also their chances of participating in broader processes of personal and community development.

National statistics, which lack any focus on women, not only conceal the economic value of rural women's activities but also limit the progress that can be made in planning and programming on behalf of women.

Policy for rural women

In 1984 the Economic and Social Policy Council adopted the Policy for Rural Women and began to establish machinery for implementing it. This machinery included a women's office in the Ministry of Agriculture and in certain other institutions of the agricultural sector.

Following the evaluations of the policy in 1984, the Government is in the process of defining a new policy for rural women as part of the strategy to open up and decentralize the economy.

In the recent past the practice was to focus on women by planning activities in their favour which were separate from the country's macro-economic and sector policies and which did not take into account the differences between the sexes. The new policy recognizes the need for a process of transition in which women's problems are tackled within the general problems of development. In this way women's programmes are incorporated solidly with the central thrust of national development.

The new policy envisages four strategies designed to affect both the supply and demand for women's services. Their aim is:

(a) To strengthen the State's capacity to respond to the needs of rural women in all its programmes;

(b) To strengthen the demand for services offered by the different States bodies, especially those defined by rural women;

(c) To promote the organization and participation of rural women in decision-making bodies at the local, regional and national level;

(d) To coordinate inter-institutional activities so as to attain more efficient management of State bodies in the definition and execution of their programmes.

Measures adopted

The 1991 Constitution established equality of rights between men and women with regard to access to land and credit.

Within the policy laid down for rural women, the Government has created the technical and administrative conditions which will allow the State apparatus (central, departmental and local) to meet the needs of rural women within the functions of the different institutions.

The following activities have been defined:

(a) Elaboration of the Plan for the Execution of the Policy for Rural Women by the Ministry of Agriculture, the National Planning Department and the Presidential Council for Youth, Women and the Family.

(b) Establishment of a technical secretariat within the Ministry of Agriculture composed of a coordinator and consultants from women's organizations and non-governmental organizations, implementation of the policy for women in departments and municipalities, establishment of a system of evaluation and follow-up, and support for productive projects and communications.

(c) Dissemination and coordination of the plan to execute the rural women's policy with State bodies in the agricultural sector, rural organizations and non-governmental organizations and initiation of cooperation with local governments and municipalities.

(d) Revision of the general and specific methodologies of the Projects Bank of the National Planning Department so as to produce variables and

indicators which guarantee an analysis of women's problems in all projects put forward in the public sector.

(e) Revision of training guidelines, so as to incorporate the women's viewpoint in the training of professionals and technicians in municipal technical assistance units who are to give free help to rural communities.

(f) Formulation of an organic proposal for the Integrated Rural Development Fund and other financial agencies which will ensure that each of them has a unit which will handle women's affairs and a plan of action in favour of women.

(g) Training of officials in the analysis of women's problems and the formation of multiplying training units.

(h) Systematization of implementation experience in all four departments.

(i) Elaboration of plans for communication, training and systems of evaluation and follow-up.

Article 15. Equality before the law

"1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile."

The Colombian Constitution guarantees the equality of all persons before the law and expressly forbids any kind of discrimination on grounds of sex (article 13). In addition, article 43 lays down that women and men have equal rights and opportunities and that women cannot be subjected to any kind of discrimination.

Since 1974, women have enjoyed full capacity for all legal purposes, including the signing of contracts, the administration of property and access to the courts. Any contracts or agreements which seek to limit this capacity are null and void.

Within the family and vis-à-vis the children, men and women have equal rights. Paternal authority and the administration of property are exercised jointly.

There are no restrictions on the travel of women inside and outside the national territory and the domicile of the partners must be agreed to jointly.

Article 16. Matrimonial and family law

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(a) The same right to enter into marriage;

(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

(c) The same rights and responsibilities during marriage and at its dissolution;

(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory."

The 1991 Constitution expressly proclaims the equality of men and women in the constitution of the family, in the exercise of family rights and duties, and in the responsibilities towards the children. Under the Constitution, the family is the fundamental nucleus of society. It is made up of natural or legal ties, through the free decision of a man and a woman to enter into matrimony and a responsible desire to uphold it. Family relations are based on the equality of rights and duties of the couple and on mutual respect for all its members. The couple has the right to decide freely and responsibly on the number of children and must support and educate them while they are minors (article 42).

For a marriage to be valid, there must be free and mutual consent between the parties and the fulfilment of the solemnities laid down in the law (article 115 of the Civil Code). Persons above 18 years of age may enter freely into matrimony. Minors require the express permission of their parents. Under the Constitution, a marriage may be civil or religious. The civil effects of religious marriages are subject to certain legal requirements.

According to the Civil Code, the spouses are required to support each other in all circumstances of life (article 176) and husband and wife have joint control of the household (article 177).

The marriage is null and void, among other causes, when the consent of one or both of the partners has not been given, when the man is under fourteen or the woman under twelve, or when contracted by force or fear. There is another cause of nullity which is no longer used in practice. A law - discriminatory against women - annuls a marriage between a proven adulteress and her accomplice.

The causes of divorce apply in the same way to men and women. Divorce has existed for civil marriages since 1976 and, under Law 25 of 1992, approval was given to the cessation of the civil effects of religious marriage as a result of divorce. This law also introduces two new causes of divorce: mutual consent and separation for more than two years.

When the spouses cease living together as a result of separation or divorce, they may, by mutual agreement, decide how to discharge their obligations towards the children, provided such agreement respects the rights of the children. If there is no agreement, the judge must take a decision in accordance with the interest of the minors and the rights of both parents.

When the marriage is dissolved, the assets and liabilities of the couple are divided equally. De facto unions are also subject to a similar division.

Marital engagements are considered to be private and to produce no obligation before the civil law. The promise of marriage cannot be invoked to demand that it take place, nor can compensation be claimed when it does not.

Certificates of civil marriage and of religious marriage must be inscribed in the civil register. Since 1970 the use of the man's surname by the woman is optional.

In 1990 a law was issued to regulate de facto unions. It stated that the partners acquire the same property rights during the existence of the union.

In 1992 the Constitutional Court adopted a decision of great significance for women in de facto unions: it recognized the value of domestic labour as a contribution to the assets of the couple.

Ignorance by women of their legal rights is one of the obstacles impeding the application of the laws of equality between spouses, separation and divorce, and parental authority. Often women do not know where to turn and have no clear picture of what their legal entitlements are.

To remedy this defect, a number of publications have been circulated but they have not yet achieved sufficient coverage. Certain Family Commissions have engaged in educational activities in their communities but the scope of this action has been limited. What is needed is a more ambitious strategy of information which will ensure that knowledge of their rights reaches a larger number of women.

Another obstacle is the dispersal of the bodies responsible for dealing with family matters and the weakness of coordination machinery. On the one side, there are the family courts and the courts dealing with minors and, on the other, the administrative bodies under the jurisdiction of the Colombian Institute of Family Welfare and the Municipalities.

In addition, lawyers are empowered to deal with family matters. Although this wide variety of recourse may mean better access to justice, in fact there is no clear idea of the exact functions of the different instruments involved. As a result there are unnecessary delays in the initiation of proceedings and often duplication of effort.

Recently, the Supreme Court of Justice took the initiative in re-organizing family courts but this effort has not yet yielded significant results. A programme is under way to systematize the information and administration of the Family Commissions and to coordinate their activities with the other bodies defending the rights of the family. The results of this effort are visible in some cities but they still have to be guaranteed at the national level.

The lack of training of some officials responsible for dealing with family matters is another obstacle to the full respect for the rights of women. Although the laws require the fulfilment of certain requirements for the discharge of the different functions, this is no guarantee of the suitability of the personnel appointed to carry out these functions. To remedy this situation, programmes are under way to train the personnel involved - programmes which need fuller coverage - and to establish machinery which guarantees the appointment of sufficiently qualified persons.